



DEPARTMENT OF  
**LABOR**  
& INDUSTRIAL RELATIONS

# ANNUAL REPORT

## 2021

# TABLE OF CONTENTS

1	From the Director
3	Department Overview
5	COVID Response
10	Financial Appropriations
11	Legislative Summary
12	Labor & Industrial Relations Commission
14	Division of Employment Security
22	Division of Worker's Compensation
30	Division of Labor Standards
34	Missouri Commission on Human Rights
38	State Board of Mediation
40	Department Strategic Placemat

## MESSAGE FROM THE DEPARTMENT DIRECTOR

# ANNA S. HUI



*As we look back on 2021 and our response to an array of challenges that presented themselves, I am proud of the response by the Missouri Department of Labor and Industrial Relations (DOLIR) team members. We continued to meet these challenges and built a foundation that Missourians can rely on in the future.*

The department's aspiration is to "promote economic vitality, safety and fairness for Missouri's businesses and workers" and in every division we have continued to do this. From building upon our goals of safe workplaces and a safety net for the unemployed or injured, department staff identified opportunities to improve and embraced these challenges.

Within the Division of Labor Standards (DLS), we administered the child labor, minimum wage and prevailing wage laws for our state. We reviewed 19 complaints, issued 875 entertainment permits and reviewed almost 6,700 work certificates. Just as important, the Mine and Cave Safety Program continued to offer training to miners, mine owners, operators and contractors. On September 30 and October 1, 2021, DOLIR helped host an annual mine safety competition in Rolla that put competitors to the test. Consider this: The last recorded fatality from an operator that received training from this program was in 2015.

The Division of Workers' Compensation (DWC) implemented a new document management solution to support the Digital Government Initiative, which included digitizing more than 3,000 out of 18,000 boxes of archived data. Additionally, we made progress toward modernization of processes and technologies. DWC and the Office of Administration, Information Technology Services Division (OA-ITSD) worked together to issue a Request for Proposals for Work Comp Connect Phase 1 which serves as the real momentum for the modernization effort.

# DIRECTOR'S MESSAGE CONTINUED

---

After a difficult 2020 due to COVID and record-breaking unemployment, the Division of Employment Security (DES) continued to focus on improving customer service in 2021. DES moved ahead by addressing the high workloads that resulted from the pandemic and the temporary federal unemployment programs by implementing tools for improving citizen-centric service delivery. One step was implementing Zendesk, allowing for better communication between customers and agency representatives and providing new efficiencies to resolve questions or issues.

Time and again, DES staff pivoted to comply with new federal unemployment program guidelines, meanwhile continuing to handle surges in appeals, hearings and waiver applications, and pushing themselves to implement new and innovative ways to better serve citizens across the state.

Across all divisions, the agency emphasized continuous improvement of our people, processes and technologies with a citizen-centric focus. For example, the Missouri Commission on Human Rights took its first step toward designing an online customer service portal. DWC is improving its ability to capture data related to its processes and looks to identify areas where improved methods or procedures can create efficiency. DLS is examining how virtual site visits might contribute to safer work environments and emphasizing youth farm safety. The department as a whole is examining its forms online and working to make their use easier for our customers.

Internally, we have focused on priorities to help our staff, especially those who interact with Missourians who have hit hard times. We created a working group to address de-escalation and the secondary trauma that sometimes comes with it. We surveyed our staff across the state and asked for their input to address building safety. Finally, we are working to enhance the safety of our field staff to ensure they are properly trained.

In our strategic planning, we recognized new opportunities that can provide a knowledgeable, stable organization for years to come. By developing standard operating procedures, implementing succession planning and updating the policy manuals we use, we are identifying needs and addressing them.

Across the board, the department met challenges and planned for the future. The upcoming pages highlight many more of our successes and accomplishments during the past year. As we continue to recover from the pandemic's impact, it is an opportunity to celebrate what our dedicated public servants have achieved while recognizing our commitment to continually improve service to our citizens.

We welcome suggestions and new ideas! Our motto of "Working Better Together" isn't just for the employees of DOLIR – it is also about working better together with Missourians. We all have a stake in our future. Please send your comments to [BetterTogether@labor.mo.gov](mailto:BetterTogether@labor.mo.gov).

# VISION STATEMENT:

---

TO PROMOTE ECONOMIC VITALITY, SAFETY, & FAIRNESS  
FOR MISSOURI'S BUSINESSES & WORKERS

## THE DEPARTMENT IS COMPRISED OF:

### LABOR AND INDUSTRIAL RELATIONS COMMISSION (LIRC)

The LIRC provides oversight of the Department of Labor and Industrial Relations. It is composed of three commissioners appointed by the Governor, with the advice and consent of the Senate. The LIRC hears appeals of claims on Workers' Compensation, Unemployment Insurance, and Tort Victims' Compensation as well as objections to Prevailing Wage Orders.

### DIVISION OF EMPLOYMENT SECURITY (DES)

The DES administers Missouri's Unemployment Insurance program, a joint state-federal program funded by the Unemployment Tax paid by employers. These funds are held in the Missouri Unemployment Compensation Trust Fund and payment of benefits for regular unemployment are made from this fund. There are also special unemployment programs available to qualified individuals.

### DIVISION OF WORKERS' COMPENSATION (DWC)

The DWC provides oversight of programs that provide services to workers who have been injured or exposed to occupational disease in the course and scope of their employment. Administrative Law Judges approve settlements or issue awards after hearings related to compensation benefits owed to injured workers. The DWC also administers the Line of Duty Compensation Fund that pays benefits to the survivors of a deceased public safety officer who is killed in the line of duty; the Tort Victims Compensation Fund that makes payments to uncompensated tort victims, and oversees the Second Injury Fund as per the statutory provisions.

## **DIVISION OF LABOR STANDARDS (DLS)**

The DLS is comprised of five sections. The Research and Analysis Section collects and analyzes data relating to occupational and work-related injuries and fatalities in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics. The Wage and Hour Section enforces wage and hour laws and calculates annual prevailing wage/average hourly wage rates. Free safety consultation services for Missouri employers designed to help them stay in compliance with federal regulations are provided by the On-Site Safety and Health Consultation Program. Mine and Cave Safety staff inspect mines and show caves operating in Missouri and train miners prior to their beginning employment and annually thereafter to ensure safe and healthy work habits. The Mine and Cave Safety staff also assist with rescue and recovery efforts should there be a mining accident in Missouri. The Workers' Safety Program, funded by the Workers' Compensation Fund, certifies the safety programs of workers' compensation insurance carriers, certifies safety consultants and rehabilitation facilities for Second Injury Fund Rehab benefits, and assists employers in developing programs to improve workplace safety and eliminate hazards.

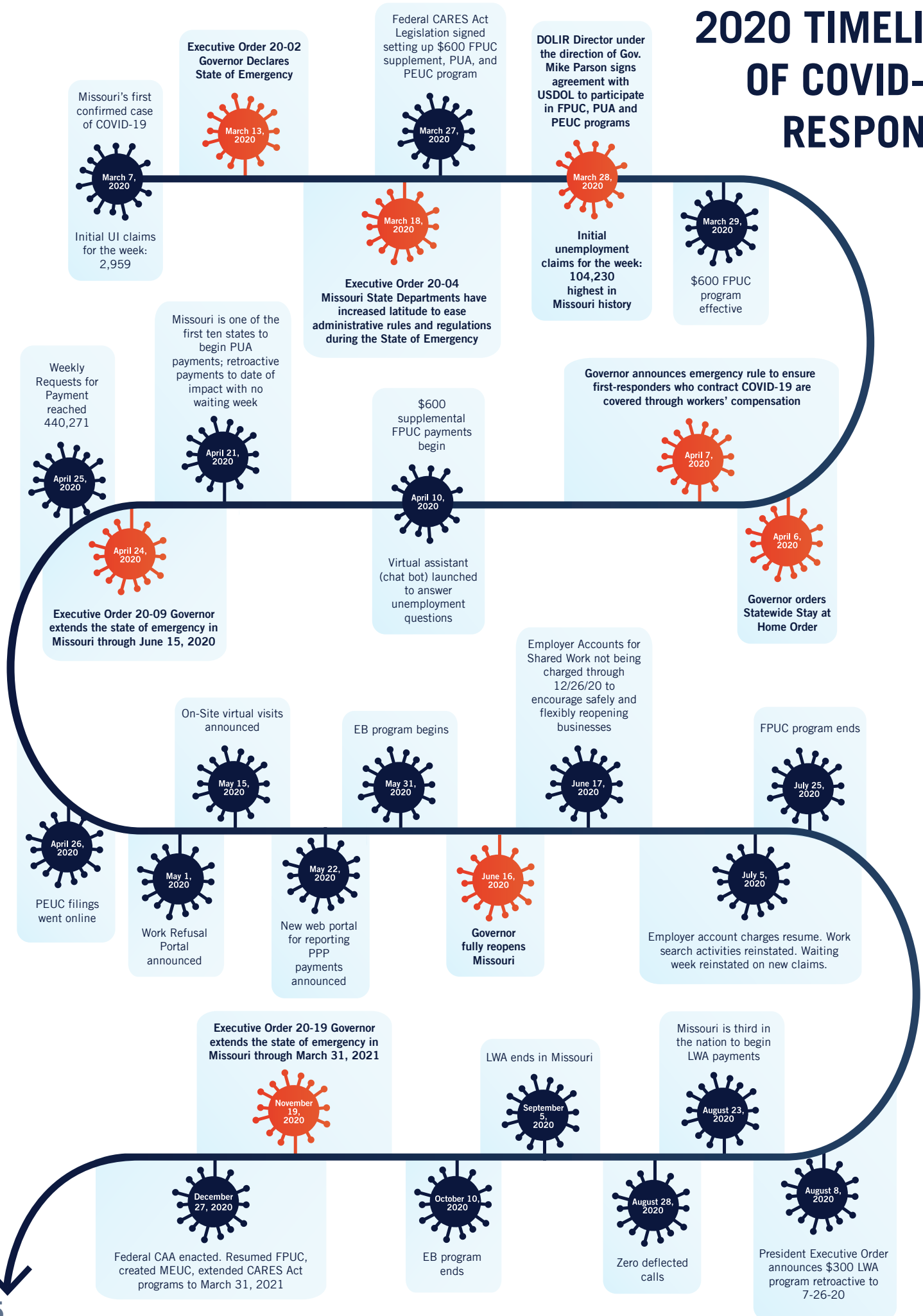
## **STATE BOARD OF MEDIATION (SBM)**

The SBM is a quasi-judicial board that administers the Public Sector Labor Law (Section 105.500 - 105.530 RSMo.). Duties include the definition of appropriate bargaining units of employees, certification of bargaining units, and determination of majority representation status by secret ballot elections.

## **MISSOURI COMMISSION ON HUMAN RIGHTS (MCHR)**

The MCHR works to prevent and eliminate discrimination, investigates complaints of discrimination under the Missouri Human Rights Act, and facilitates fair and timely resolutions of discrimination claims.

# 2020 TIMELINE OF COVID-19 RESPONSE





# 2021 TIMELINE OF COVID-19 RESPONSE

MO begins FPUC  
payments, payable back to  
Dec. 27, 2020



MO launches  
federal MEUC  
program



Executive Order 21-07  
Governor extends the state of  
emergency in Missouri  
through Aug. 31, 2021



American Rescue Plan Act  
(ARPA) enacted, extending  
federal CARES Act programs  
through Sept. 6, 2021



Governor announces \$300 million  
transfer of Coronavirus Relief Funds  
to MO's Unemployment Trust Fund

First federal  
overpayment  
waiver approvals  
issued



MO notifies claimants of federal  
waiver application



Federal programs  
end in Missouri



Governor announces ending of  
federal unemployment programs



MO announces it will  
offer federal overpayment  
waiver program

**ARPA** – American Rescue Plan Act

**CAA** – Consolidated Appropriations Act

**CARES** – Coronavirus Aid, Relief, and Economic Security Act

**DOLIR** – Missouri Department of Labor and Industrial Relations

**EB** – Extended Benefits

**FPUC** – Federal Pandemic Unemployment Compensation

**LWA** – Lost Wages Assistance

**MEUC** – Mixed Earners Unemployment Compensation

**PUA** – Pandemic Unemployment Assistance

**PEUC** – Pandemic Emergency Unemployment Compensation

**USDOL** – U. S. Department of Labor

**UI** – Unemployment Insurance



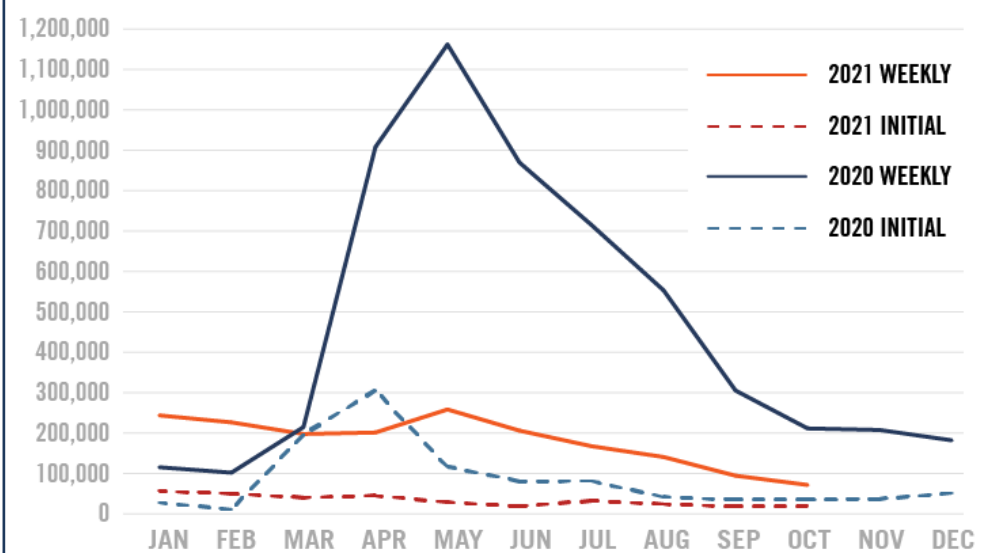
# SPECIAL REPORT ON COVID RESPONSE: UNEMPLOYMENT INSURANCE

The Division of Employment Security (DES) continued to handle changes in federal unemployment programs throughout 2021. (See the 2021 timeline on the previous page.)

In July 2021, DES implemented a potential waiver of recovery for federal unemployment benefit overpayments. Notices were sent to any individual potentially eligible for the waiver. As of Nov. 30, 2021, DES had received more than 60,000 waiver applications and made determinations on more than 38,000. The **most common reasons for denial** of the application were that the individual either **failed to provide information or provided inaccurate information**.

## WEEKLY & INITIAL REGULAR UI CLAIMS BY MONTH

JANUARY 2020—OCTOBER 2021



## OVERPAYMENTS

- In the span of two weeks in March 2020, the number of new (initial) claims received by DES went from about 2,900 to 104,000
- DES implemented several new COVID-related federal unemployment programs faster than almost all other states
- Federal guidance: processed within 14 days
- What is the result? Often, critical information is received **after** the individual begins receiving benefits (*Examples: Misreported wages, new employment separation information*)
- Overpayments are an anticipated, routine part of the program because individuals and/or employers have not always provided all relevant information to the claim

## REPAYING AN OVERPAYMENT

- State overpayment must be paid back whether fraud or non-fraud; federal overpayment may be eligible for a waiver of repayment
- In either case, the individual was not eligible for benefits

# WAIVERS

In the event of an overpayment, Missouri law does not allow DES to waive an individual’s state overpayment. However, the federal government in 2021 allowed for a waiver of federal overpayments. A state may only waive repayment of an overpayment if the state determines that: (1) the payment of such compensation was without fault on the part of the individual; (2) such repayment would be against equity and good conscience. DES instituted this potential waiver of federal overpayments in July 2021 and continues to notify potentially eligible applicants.

## EXPLANATIONS OF MOST COMMON WAIVER DENIAL REASONS

### FAILING TO PROVIDE INFORMATION

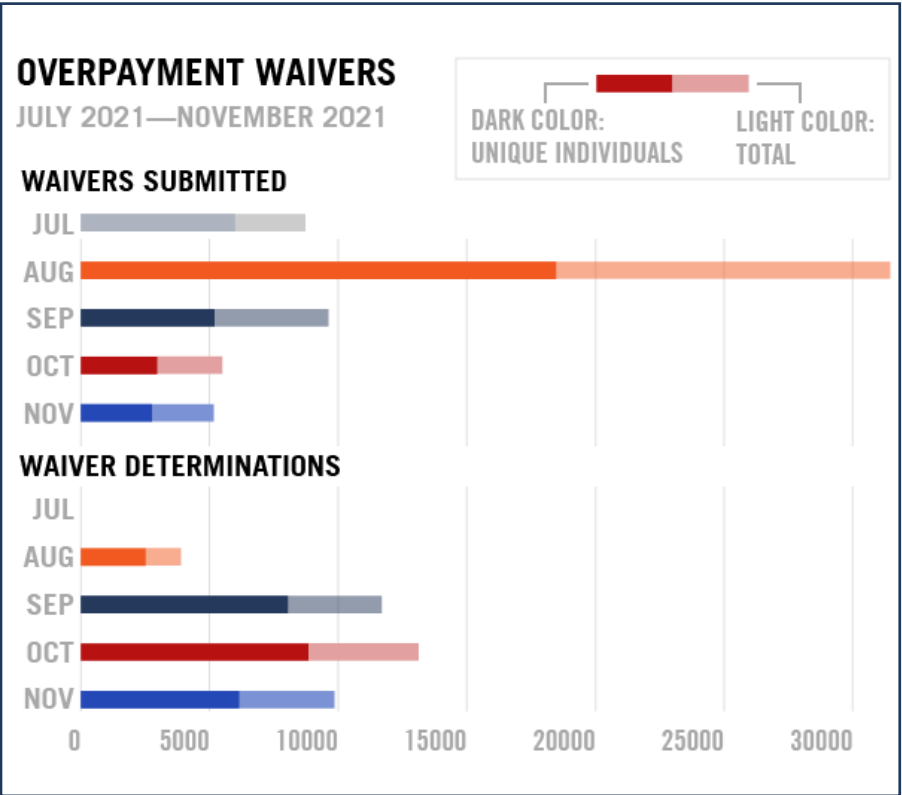
- PUA Documentation – The Division requested proof of employment for PUA claims. If the individual did not submit the documentation, the PUA claim is overpaid for failure to provide PUA documentation and deemed the individual’s fault.
- Unreported Earnings – During the weekly certification, the individual indicated that they did not work during the week. The employer provided wage information for the week, which resulted in an overpayment. The overpayment was deemed the individual’s fault since they failed to provide accurate wage information.

### PROVIDING INACCURATE INFORMATION

- When filing an initial claim, the individual stated that they were laid off. The employer later provided information that the individual had quit their job. The overpayment is deemed the individual’s fault since the individual is overpaid for providing inaccurate information about their separation.
- Underreported Earnings – During the weekly certification process, the individual underreported wages earned during the week. Later, the employer provided DES with the individual’s actual wages earned during the week, which resulted in an overpayment. The overpayment was deemed the individual’s fault since they failed to provide accurate wage information.

**SUBMITTING LATE** – The individual did not submit their waiver application within 30 days of the date of the notice.

**FAILING TO MEET EQUITY AND GOOD CONSCIENCE STANDARD** – The individual stated that repayment of the overpayment would not require them to give up something of monetary value, change their actions/choices negatively, or repayment would not result in them being able to provide basic necessities.



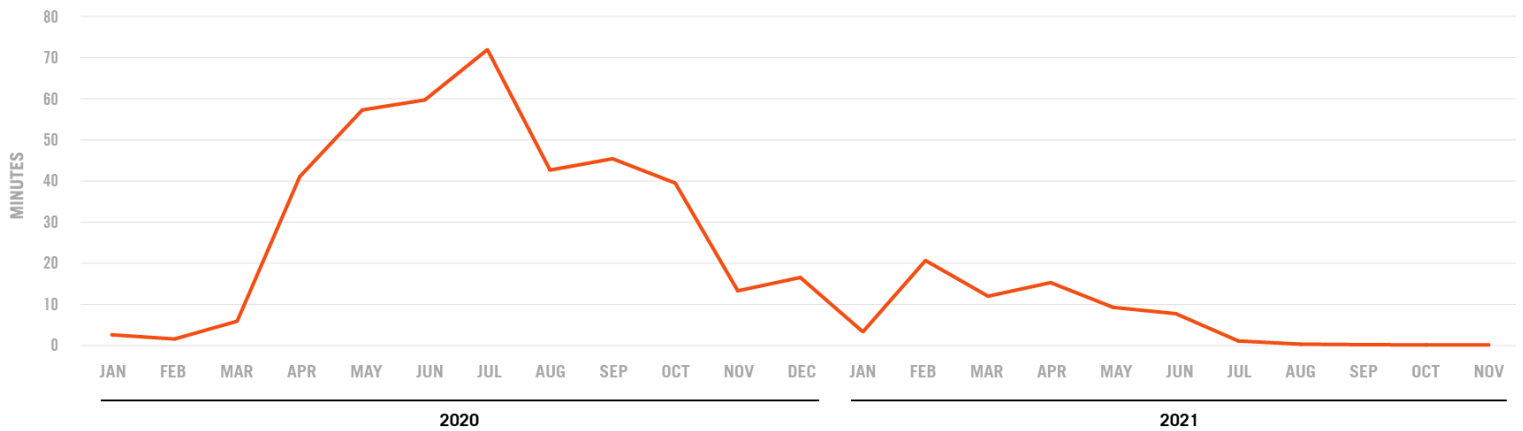
*\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.*

# CALL CENTER RESPONSE

Since March 2020, DES has taken aggressive action to address issues caused by the massive increase in unemployment claims. Initially, DES developed a chat bot online to help answer questions and reduce call volume and began weekly text, phone and email communication with individuals. The department pulled staff from all other divisions to assist in answering calls. With assistance from vendors, DES developed a call scheduling system which offered individuals the opportunity to schedule a callback from a customer service representative (CSR). DES contracted with vendors to also temporarily increase the number of available CSRs by about 300 when needed. In 2021, DES implemented a new online service called Zendesk, which allows individuals to ask questions and receive immediate answers. All of these actions contributed to drastic decreases in call wait times and call deflections.

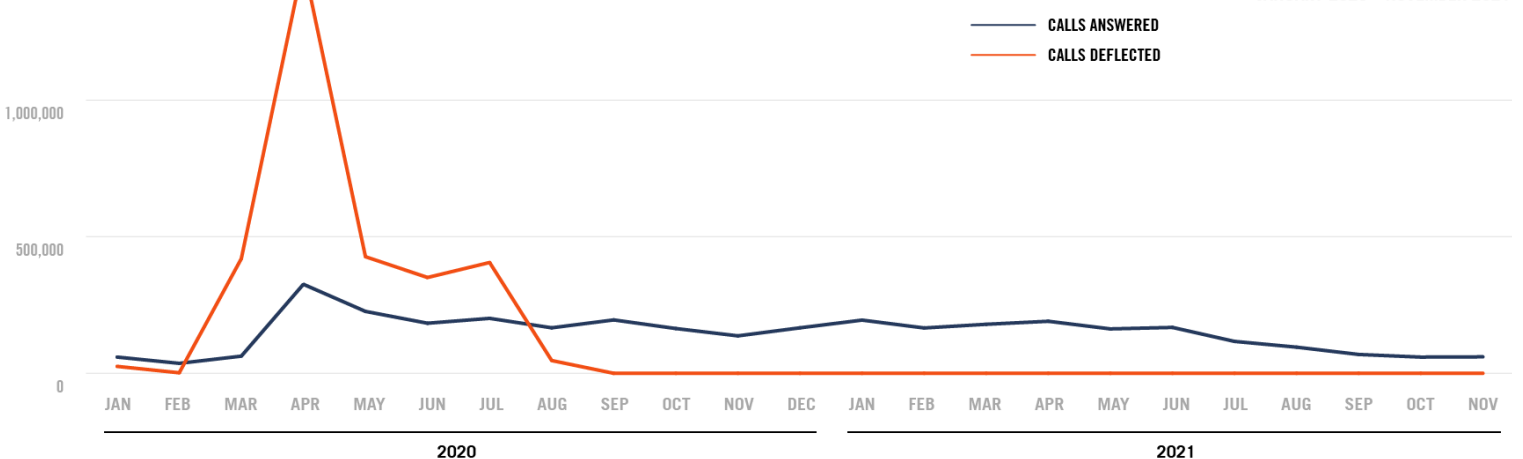
**CALL CENTER AVERAGE WAIT TIME BY MONTH**

JANUARY 2020—NOVEMBER 2021



**CALL CENTER CALLS ANSWERED AND DEFLECTED BY MONTH**

JANUARY 2020—NOVEMBER 2021



# FINANCIAL APPROPRIATIONS

The operating budget for the Department is appropriated by the General Assembly and approved by the Governor in the annual budget process. These appropriations fund personnel services (payroll), equipment and other expenses necessary to carry out the duties of the Department. It does not include any benefit payments.



<b>\$82,112,697*</b>	Division of Employment Security*
<b>\$9,866,191**</b>	Division of Workers' Compensation**
<b>\$5,149,656</b>	Director and Staff
<b>\$2,532,091</b>	Division of Labor Standards
<b>\$1,461,108</b>	Missouri Commission on Human Rights
<b>\$1,056,698</b>	Labor and Industrial Relations Commission
<b>\$142,261</b>	State Board of Mediation
<b>\$102,340,702</b>	Total

*\* This amount excludes tax interceptions and benefit payments. This amount increased due to pandemic programs.*

*\*\*This amount excludes Second Injury and tort victims' claim payments and Second Injury Fund refunds.*

*\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.*

# LEGISLATIVE SUMMARY

---

## DIVISION OF EMPLOYMENT SECURITY

In FY 2019, congress passed the CARES Act creating many new federal unemployment programs. Additionally, the State of Missouri relaxed some requirements for unemployment in order to better serve our citizens during this pandemic. In July of 2020, these requirements returned to normal, coinciding with the Governor's announcement of Missouri returning to normal. In March of 2021, Congress passed the American Rescue Plan Act, reauthorizing these programs until September of 2021. Missouri ended these federal unemployment programs early in June of 2021. In July of 2021, Missouri implemented a process for claimants to apply for potential waiver of the recovery of non-fraud federal pandemic program unemployment benefit overpayments.

## DIVISION OF WORKERS' COMPENSATION

During the 2021 legislative session, the Missouri Legislation passed a sunset extension on the supplementary surcharge that supports funding for the Second Injury Fund. The sunset was extended for two years and capped the supplementary surcharge at 3% for CY 2022 and 2.5% for CY 2023.

Additionally, the legislature passed legislation that made administrative changes to workers' compensation law that allow for more flexibility in administering this program. These changes codify the Division's ability to hire third party administrators to administer insolvent self-insurance debts and added items previously excluded to the Second Injury payment prioritization.

Finally, the First Responders COVID presumption ended in FY 2020 and was replaced by another emergency regulation that allows employers to submit affidavits saying their employee contracted COVID on the job. This can then be used for evidence in workers' compensation disputes when determining compensability.

## LABOR AND INDUSTRIAL RELATIONS COMMISSION

This session, the Legislature passed legislation codifying the LIRCs authority to accept workers' compensation documents electronically for appeals.

## STATE BOARD OF MEDIATION

This session, Dale Hardy Roberts was appointed and confirmed by the Missouri Senate to serve as one of the union representatives to the State Board of Mediation. His term began May 6, 2021 and ends April 1, 2022.

## MISSOURI COMMISSION ON HUMAN RIGHTS

During the 2021 session, the Missouri Senate confirmed two more of Governor Parson's appointees to the Missouri Commission on Human Rights. These appointees were Derek Holland of the 4th Congressional District and Reverend Dr. Timothy Faber as an At-Large Member. Their terms began February 11, 2021 and will end April 1, 2026.

# LABOR & INDUSTRIAL RELATIONS COMMISSION



**ROBERT W. CORNEJO**

Chair | *Public Member*



**REID K. FORRESTER**

Commissioner | *Employer Member*



**SHALONN "KIKI" CURLS**

Commissioner | *Employee Member*

*The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution. The LIRC's primary constitutional duty is to oversee the Department of Labor and Industrial Relations.*

The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution with the primary constitutional duty to oversee the Department of Labor and Industrial Relations. In 1974, the LIRC delegated to the Director of the Department, who is appointed by the Governor and confirmed by the Senate, in his or her capacity as the chief administrative officer over all units of the Department except the Commission itself, the administrative authority required to effectively carry out the day-to-day operations, functions, and duties of the Department and its divisions as established by law.

The LIRC is composed of three commissioners and operates under the authority of Chapter 286, RSMo. Each commissioner is appointed to a staggered six year term by the Governor with the advice and consent of the Senate. One member of the LIRC, who must be a licensed Missouri attorney, represents the public. The other two members represent employers and employees respectively. The Governor designates one member as the chair.

The LIRC hears appeals from administrative decisions in workers' compensation, unemployment compensation, and tort victims' compensation cases. The LIRC also hears and decides prevailing wage disputes. In addition, the LIRC approves or disapproves all rules or regulations proposed by the divisions within the Department.

## ***Employment Security***

1,640	Employee Benefit Appeals
0	Employer Contribution Appeals
1,797	Benefit Decisions/Orders Issued
0	Contribution Decisions/Orders Issued
128	Appeals to the Missouri Court of Appeals
0	Benefit/Contribution Cases Pending as of June 30, 2020

## ***Workers' Compensation/Tort Victims/Line of Duty***

71	Applications for Review of Award by Administrative Law Judge
5	Motions for Modification of Award
46	Applications for Approval of Settlement
86	Awards Issued
164	Orders Issued
4	Oral Arguments Heard
52	Appeals to the Missouri Court of Appeals
62	Cases Pending as of June 30, 2020

## ***Prevailing Wage***

11	Objections Filed
0	Hearings Held
3	Decisions Issued
0	Appeals to Court



# SPENCER CLARK

ACTING DIVISION DIRECTOR



*The Division of Employment Security (DES) is responsible for administering the state's Unemployment Insurance (UI) program. In Missouri, it is a joint state-federal program funded solely through tax contributions paid by employers, so no deductions are made from employees' paychecks for this insurance. All tax contributions are deposited into the Missouri Unemployment Compensation Trust Fund (UTF). Payments of benefits under the regular UI program are made from the UTF to eligible claimants.*

The UI system in the United States was created in 1935 to stabilize the economy and alleviate personal hardship stemming from involuntary job loss. Benefits paid to eligible recipients are intended to provide temporary financial assistance to people who are able and willing to work and who are unemployed through no fault of their own. These benefits help maintain the economy of the state during periods of economic downturn by helping preserve the level of consumer purchasing power.

The DES processes weekly requests for payment and pays benefits to individuals in covered employment under state and federal unemployment programs. Missouri's unemployment program is normally comprised of regular UI, Unemployment Compensation for Ex-Service members (UCX), Unemployment Compensation for Federal Employees (UCFE), and Trade Readjustment Allowances. When authorized, the DES is also responsible for administering federal-state Extended Benefits, federal Emergency Unemployment Compensation, and Disaster Unemployment Assistance.

UInteract, the Division's complete unemployment insurance online system is mobile-friendly. Being mobile-friendly with 24/7 access, UInteract is aligned with the lifestyle of today's consumer, giving them the convenience of conducting business after hours and on the go. These self-service functions allow unemployed workers to not only avoid on-hold wait times but to file initial unemployment claims and weekly requests for payment, get answers to questions about their claim, and access current job listings specific to their skill set and experience, helping them to find work sooner. Claimants who do not have access to the internet are still able to visit their local Job Center to file claims online while taking advantage of job services and training available there, or they can call our dedicated support lines to receive personal assistance over the phone. Greater self-service allows the DES staff to focus on eligibility determinations, which improves the speed in which eligible claimants receive their benefits and helps further prevent improper payments to ineligible workers.

<b>522,656</b>	Individuals that Filed a UI Claim
<b>3,508,833</b>	Weekly Requests for Payment Processed
<b>\$682,465,086</b>	State UI Trust Fund Benefits Paid
<b>\$2,921,009,622</b>	Federal UI Benefits Paid
<b>176,859</b>	Employers Liable for Contributions
<b>\$292,019,349</b>	Employer Contributions Collected

## UI APPEALS SECTION

Pursuant to federal and Missouri law, the DES must provide an opportunity for a fair hearing before an impartial tribunal to all parties affected by a deputy's determination. The DES UI Appeals Section provides due process hearings for all appeals arising under the basic programs of UI benefit entitlement and tax liability, as well as special unemployment programs, when authorized.

Once an appeal is filed, an impartial Appeals Referee conducts an evidentiary hearing and issues a written decision regarding the appeal. The decision of the Appeals Referee is subject to review by the Labor and Industrial Relations Commission upon timely application by the aggrieved party, and ultimately the appellate courts if the aggrieved party so chooses.

**68,268**  
**APPEALS FILED**

40,053 APPEALS  
RESOLVED BY DECISION  
OR ORDER

# UI BENEFITS SECTION

The DES works to provide prompt and accurate payments of unemployment benefits to eligible claimants. A person must have worked in employment covered under the Missouri Employment Security Law and earned enough qualifying wages in order to establish a claim for unemployment benefits. The formula to determine the benefit amount uses wages earned by the individual worker, which means not all workers are eligible for 20 weeks of benefits.

**20 WEEKS**

Maximum number of weeks eligible for benefits

**\$320**

Maximum weekly benefit amount paid

**\$262.44**

Average weekly benefit amount paid

The DES uses an identity verification solution for all unemployment claims filed. The program is designed to ensure that the information provided during the claim intake process is correct and belongs to the person filing a claim for unemployment benefits prior to UI benefits being paid. All individuals are evaluated by fraud detection software and assigned fraud risk scores. Individuals who are determined to be high risk for identity fraud are presented with a series of questions that only the user should be able to answer. If individuals do not provide the correct answers, they are mailed a letter directing them to report to a Job Center with proof of their identity.

**IN STATE FISCAL YEAR (SFY) 2021, 3,436 PEOPLE FAILED THE IDENTITY PROOFING PROGRAM OR SUBSEQUENTLY DID NOT REPORT TO THE JOB CENTER AS REQUIRED TO VERIFY THEIR IDENTITY.**

The DES continues to partner with the Missouri Department of Higher Education and Workforce Development – Office of Workforce Development to offer extensive re-employment services for jobseekers. The collaborative efforts maintain an environment within both agencies that allows data sharing which sustains a large number of programs aimed at improving the ability of unemployed workers to find new jobs or seek further education to enhance opportunities for re-employment. An example of this is implementation of the job matching system, where an unemployed worker is provided with available job openings matching their skills and prior work history when filing an unemployment claim.

In addition, the DES and the Office of Workforce Development are jointly responsible for the operation of Missouri's Reemployment Services and Eligibility Assessment (RESEA) Program. This program targets claimants who are most likely to exhaust their UI benefits and recipients of unemployment compensation for ex-service members (UCX) and requires them to report to their local Missouri Job Centers to receive specialized reemployment services and a UI eligibility assessment. In SFY 2021, 11,076 job seekers received services through the RESEA program.

## **SHARED**WORK

An alternative to layoffs for employers faced with a reduction in available work

**1,677**

EMPLOYERS PARTICIPATED

**18,397**

EMPLOYEE LAYOFFS AVOIDED

**\$19,064,453**

PAID IN SHARED WORK BENEFITS

# UI TAX SECTION

The UI Tax Section assists businesses in meeting their obligations under the UI program for filing required quarterly reports and payment of UI tax. Liable employers are assigned a UI tax rate as defined within the law.

Generally, an employer's tax rate is determined by the relationship between chargeable benefits paid out, UI taxes paid in, and an employer's average annual taxable payroll.

The UI Tax Section monitors and improves compliance among businesses to ensure equity and a level playing field. Businesses that don't properly report and pay UI taxes for their workers gain an unfair advantage. It also creates barriers for eligible workers to access UI benefits in a time of need.

**MISSOURI IS  
1 OF 14 STATES  
THAT ALLOW A MINIMUM  
UI TAX  
RATE OF 0%**

**EMPLOYERS PAID \$292,019,349  
IN UI TAXES THAT WERE CREDITED TO  
THE UNEMPLOYMENT TRUST FUND.**

**PROVIDED UI COVERAGE FOR  
3,220,281 EMPLOYEES**

**176,859 EMPLOYERS WERE ASSISTED  
IN ESTABLISHMENT OF LIABILITY AND  
MAINTENANCE OF THEIR EMPLOYER  
ACCOUNTS AND RECORDS**

**24,292 EMPLOYERS NOT PREVIOUSLY  
LIABLE FOR UI TAX BECAME LIABLE**

**13,681**

**INVESTIGATIONS CONDUCTED**

**2,028**

**WORKERS IDENTIFIED AS  
IMPROPERLY CLASSIFIED**

\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.

# UI INTEGRITY SECTION

As part of an ongoing effort to detect and reduce improper UI benefit payments, the DES conducts cross-matches to compare relevant databases to claimants who file for UI benefits. Claimants who have returned to work and continue to complete weekly requests for payment are one of the leading causes of improper payments. One of the most effective tools for early detection of improper payments is cross-matching new hire data reported by employers.

**DES  
NEW HIRE  
CROSS-MATCH  
UNIT**

**76,231**  
Matches  
detected for  
investigation

New Hire  
Cross-match  
Unit  
investigated  
cross-matches

**9,043**  
Overpayment  
determinations  
established

Over  
**\$2.7 million** in  
overpayments  
discovered

The DES utilizes a variety of cross-matches to prevent and detect fraud and improper payments of the UI program, including the quarterly cross-match with wages reported by employers.

## **QUARTERLY WAGE CROSS-MATCHES DETECTED \$841,361 IN IMPROPERLY PAID BENEFITS.**

Collection of overpaid benefits is a high priority. Methods used to collect the debt for overpaid benefits include intercepting state and federal income tax refunds and state lottery winnings, offsetting future payment of unemployment benefits, voluntary credit card payments, cash payments, and garnishment of wages.

## **THE DES RECOVERED:**

**\$15.4 MILLION OF IMPROPERLY PAID BENEFITS**

**MORE THAN \$2.5 MILLION IN FRAUD PENALTIES**

*THE MOST EGREGIOUS OVERPAYMENTS OF BENEFITS DUE TO FRAUD ARE  
INVESTIGATED AND REFERRED FOR CRIMINAL PROSECUTION.*

The DES is an active member of a centralized, multi-state data analysis project to prevent UI fraud and address identify theft. The Suspicious Actor Repository (SAR) allows Missouri to cross-match initial, renewed and weekly UI claims against a database of information associated with potentially fraudulent claims or overpayments. The SAR project offers several benefits to Missouri including leveraging information collected by other state workforce agencies, a focus on identifying and addressing identity theft, an expanded visibility into potential multi-state fraud activity and automated flagging of data for further investigation.

The DES is responsible for the operation of two federally mandated programs, Benefit Accuracy Measurement (BAM) and Tax Performance System (TPS). The BAM program audits paid and denied unemployment claims. The TPS program audits the operation of the DES UI tax program.

**597 BENEFIT CLAIMS AUDITED**

**881 TAX CASES AUDITED**

Other functions and responsibilities of the UI Integrity Section include producing and providing statistical information, raw data and financial information to the Department's executive staff, the U.S. Department of Labor (USDOL), members of the Missouri General Assembly and all other interested stakeholders. The Integrity Section also prepares and submits USDOL required reports, UTF projections, budget oversight, and fiscal notes; calculates and monitors the DES performance measures; writes and monitors grants; assists in the implementation of statutory changes; and ensures Missouri's UI system complies with federal laws and policies.

## EMPLOYMENT AND EARNINGS

Cal. Year	Covered Employers	Covered Employees <sup>1</sup>	State Revenues <sup>1</sup>	Wages Paid in Covered Employment <sup>1</sup>		Average Tax Rate-Percent of		Taxable Wage Base	Annual Wage
				Total	Taxable	Total	Taxable		
2016	153,948	2.7M	\$570.9M	\$121.7B	\$29.5B	0.57	1.88	\$13,000	\$45,711
2017	161,917	2.7M	\$434.4M	\$126.9B	\$30.5B	0.43	1.44	\$13,000	\$46,931
2018	166,204	2.7M	\$376.4M	\$133.2B	\$29.9B	0.33	1.17	\$12,500	\$48,615
2019	167,773	2.7M	\$351.7M	\$132.2B	\$29.4B	0.30	1.13	\$12,000	\$50,114
2020	171,053	2.7M	\$330.9M	\$140.3B	\$27.8B	0.27	1.09	\$11,500	\$53,596

1 - These are abbreviated figures.

## UI CLAIMS AND BENEFITS

Cal. Year	First Payments	Weeks Compensated	Benefits Paid <sup>1</sup>	Avg. Weekly Benefit Amt.	Average Duration	Exhaustion Rate	Trust Fund Balance <sup>1</sup>	Outstanding Fed. Loans <sup>1</sup>
2016	95,704	1,148,289	\$279.8M	\$253.45	12.0	39.5	\$663.9M	\$0
2017	92,635	1,117,855	\$283.8M	\$260.58	12.1	32.6	\$826.5M	\$0
2018	83,884	1,027,699	\$265.1M	\$264.96	12.3	31.4	\$942.9M	\$0
2019	70,638	909,564	235.8M	\$266.00	12.9	32.6	\$1.07B	\$0
2020	363,538	5,047,520	1.18B	\$250.98	13.9	35.0	\$437.9M	\$0

1 - These are abbreviated figures.

\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.

# UNEMPLOYMENT COMPENSATION FUND

<b>BALANCE ON HAND - JULY 1, 2020</b>	<b>\$662,024,230.85</b>
<b>DEPOSIT</b>	
Net UI Contributions	\$579,549,043.85
Penalty/Interest	\$6,548,944.66
U.S. Treasury Interest Credits	\$11,153,603.59
Title IX or Special Legislation/Employer Relief	\$32,116,591.50
Intra-Account Transfer	\$2,320,352,787.95
From Other States-Interstate Benefits CWC	\$21,538,702.04
FECA Advances/Reimbursements-UCX	\$1,108,579.49
Reimbursable-Local Govt. & Other Pol. Subdivisions	\$14,040,831.89
Reimbursable-State Govt., State Hospitals, and Higher Education	\$3,361,085.96
Reimbursable-Nonprofit Organizations	\$40,750,595.51
Federal Share Extended Benefits	\$14,145,544.33
Federal Emergency Compensation/EUC08	\$0
Federal Emergency Compensation/PEUC	\$501,001,693.00
Federal Emergency Compensation/FAC	\$0
Federal Pandemic Unemployment Compensation	\$1,667,025,301.55
Pandemic Unemployment Assistance	\$416,057,193.81
Mixed Wage Earners Unemployment Compensation	\$1,222,151.34
FECA Advances/Reimbursements-UCFE	\$2,757,895.03
Other - Reimbursement of Waiting Week	\$20,934,863.25
Other - Trust Fund Loans/FUTA Tax Credits	\$3,082.50
Other - Returned EUC/FSC Rest.	\$0
<b>TOTAL RECEIPTS</b>	<b>\$5,653,938,491.25</b>

(Continued on next page)

*\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.*



# UNEMPLOYMENT COMPENSATION FUND CONTINUED

## DISBURSEMENTS

Net UI Benefits	\$581,961,555.62
Net Reimbursable Benefit Payments-Local Govt. and Other Pol. Subdivisions	\$13,981,253.77
Net Reimbursable Benefit Payments-State Govt., State Hospitals, and Higher Education	\$3,693,760.36
Net Reimbursable Benefit Payments-NonProfit Organizations	\$41,180,447.94
FECA Net Benefit Payments-UCX	\$1,078,880.36
Net Federal Benefits-Federal Share (Extended)	\$13,067,799.40
EUC 08 Activity	\$(1,320,307.98)
PEUC Activity	\$492,357,942.25
TEUC Activity	\$(17,180.73)
Federal Emergency Compensation-FAC	\$(60,564.39)
Federal Pandemic Unemployment Compensation	\$1,769,328,129.23
Pandemic Unemployment Assistance	\$410,469,319.62
Other Temporary Federal Compensation/Waiting Week	\$20,934,863.25
Mixed Wage Earners Unemployment Compensation	\$1,214,111.84
To Other States-Interstate Benefits CWC	\$42,369,056.06
Title IX (Admin) or Special Legislation/Emergency Admin Grant	\$639,011.53
To Special Funds (Explain) Penalty/Interest	\$5,960,883.07
FECA Net Benefit Payments-UCFE	\$2,462,445.48
Intra-Account Transfers	\$2,320,352,787.95
Other (Explain) First Payments EB/Loan Repayment	\$105.83
<b>TOTAL DISBURSEMENTS</b>	<b>\$5,719,654,300.49</b>
 <b>Balance on Hand - June 30, 2021</b>	 <b>\$596,308,421.61</b>
 <b>Cash Balance - June 30, 2021</b>	
Clearing Account	
Central Bank, Jefferson City, MO	\$(586,867.70)
Benefit Account	
Central Bank, Jefferson City, MO	\$(8,715,970.67)
Trust Fund Account	
U.S. Treasury	\$605,611,259.98

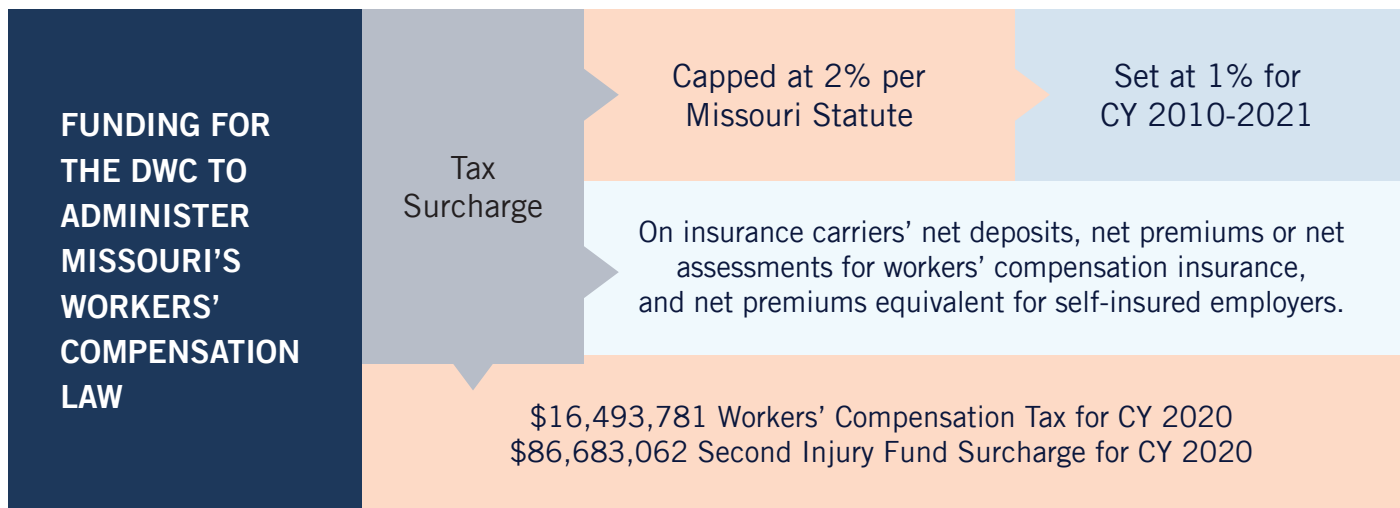
## DIVISION OF WORKERS COMPENSATION

# PAMELA LEWIS

ACTING DIVISION DIRECTOR



*The Missouri Division of Workers' Compensation (DWC) administers programs that provide services to all stakeholders including workers who were injured on the job or were exposed to occupational diseases arising out of and in the course of employment. The DWC ensures injured workers receive benefits they are entitled to under the Missouri Workers' Compensation Law.*



## WORKPLACE INJURIES REPORTED



**86,195** First Report of Injury (FROI) received, but no Claim for Compensation filed

**8,397** FROI received and a Claim for Compensation filed

**1,724** Claims for Compensation filed but no FROI received

**94,592**  
Total FROIs received

# SELF-INSURANCE

Employers subject to the Missouri Workers' Compensation Law are required to either purchase workers' compensation insurance coverage through an insurance carrier authorized to insure such liability in the state of Missouri by the Missouri Department of Commerce and Insurance or obtain approval from the DWC to self-insure their workers' compensation liability.

An employer or its insurer must report workplace injuries to the DWC, other than injuries that require immediate first aid and no further medical treatment or lost time from work, within 30 days of knowledge of the injury. Any person who knowingly fails to report the injury as required by law is deemed guilty of a misdemeanor and, on conviction, shall be punished by fine or imprisonment, or both. Employees can file a formal Claim for Compensation to initiate a contested case proceeding in the Workers' Compensation Program.

## SELF-INSURANCE

<i>Security Held FY 2019</i> <sup>2</sup>	\$659,756,214
<i>Security Held FY 2020</i> <sup>2</sup>	\$659,285,418
<i>Security Held FY 2021</i> <sup>2</sup>	\$656,851,418

### INDIVIDUAL SELF-INSURANCE

FY	Employers	Employees Covered <sup>1</sup>	Payroll Covered <sup>1</sup>
2018	273	415,406	\$19,901,171,185
2019	245	412,663	\$20,529,944,545
2020	220	440,703	\$20,872,824,971
2021	213	438,667	\$21,129,595,842

### GROUP TRUST SELF-INSURANCE

FY	Employers	Employees Covered <sup>1</sup>	Payroll Covered <sup>1</sup>
2018	2,658	273,363	\$9,638,482,159
2019	2,633	276,271	\$9,841,361,246
2020	2,612	277,294	\$10,228,034,506
2021	2,563	273,560	\$10,483,150,995

<sup>1</sup> - Number valid as of close of prior calendar year  
<sup>2</sup> - Excludes security called due to default

*\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.*

Injured workers bear the burden of proving entitlement to benefits under the Workers' Compensation Law. Injured workers also can qualify for benefits from the **Second Injury Fund (SIF)**.

The SIF was created to benefit workers who are handicapped and certain workers with a previous work-related disability. It encourages employment by permitting persons to be employed without exposing employers to any liability for previous disabilities in certain cases.

The SIF is funded by a surcharge on workers' compensation premiums of up to a maximum of 3% by law plus an additional surcharge of up to a maximum of 3% for Fiscal Year 2022 and up to a maximum of 2.5% for Fiscal Year 2023.

## SECOND INJURY FUND

Total recipients of PTD* benefits (both ongoing and lump sum)	2,347
Recipients who received ongoing, lifetime PTD* benefits	2,090
Total PTD* benefits paid	\$67,210,044.25
Total recipients of PPD** benefits (both ongoing and lump sum)	462
Total PPD** benefits paid	\$2,846,059.18
Total recipients of Rehab benefits (both ongoing and lump sum)	3
Total Rehab benefits paid	\$2,199.98
Total recipients of Uninsured Medical benefits (both ongoing and lump sum)	12
Total Uninsured Medical benefits paid	\$323,268.15
Total recipients of Uninsured Death benefits (both ongoing and lump sum)	8
Total Uninsured Death benefits paid	\$139,129.12
Total recipients of Lost Wages benefits (both ongoing and lump sum)	6
Total Lost Wages benefits paid	\$22,919.04
*Permanent Total Disability **Permanent Partial Disability	

Most workers' compensation cases are resolved through a settlement between the parties and without proceeding to a hearing. A hearing can be costly and time consuming. All settlements must be approved by a DWC Administrative Law Judge. Parties can request that their case be set before a judge to assist them with discussing issues or for a formal mediation to work toward compromise settlement. For cases not resolved by compromise settlement, the Judges conduct hearings and make determinations on what, if any, benefits are owed to the injured worker.

<b>16,638</b>	Compromise settlements approved*
<b>7,339</b>	Claims dismissed*
<b>560</b>	Hearings

\*Insurance, Second Injury Fund and Medical Fee Dispute

The DWC's Fraud and Noncompliance Unit investigates all allegations of fraud and noncompliance under Chapter 287 of the Missouri Revised Statutes. Employers who are subject to the law and knowingly fail to insure their workers' compensation liability are committing a criminal offense that can lead to fines and prison time.

Under Section 287.128.3(6), RSMo, fraud includes to "knowingly make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any benefit."

**246** FRAUD AND NONCOMPLIANCE CASES  
INVESTIGATED

**38** FRAUD AND NONCOMPLIANCE CASES  
REFERRED TO THE MISSOURI ATTORNEY  
GENERAL'S OFFICE FOR PROSECUTION

**245** WORKERS POTENTIALLY IMPACTED BY  
FAILURE OF EMPLOYER TO INSURE, FROM THE  
REFERRED CASES

**\$281,013** IN PENALTIES RECOVERED FROM THE  
REFERRED CASES TO THE ATTORNEY GENERAL'S  
OFFICE\*\*

\*\*Penalties recovered include those from cases referred, or penalties from, previous Fiscal Years. Some cases take longer than a year to reach a resolution and many penalties are paid in monthly installments over several years.

\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.



## ADMINISTRATIVE LAW JUDGES

Ryan Asbridge  
Karla Boresi  
Maureen Byrne  
Kenneth Cain  
Joseph Denigan  
Kevin Elmer  
Bruce Farmer  
Hannelore Fischer  
Karen Fisher  
Suzette Flowers  
Emily Fowler  
Kathleen Hart  
Angela Heffner  
Joseph Keaveny  
Edwin Kohner  
Gina Mitten  
John Ottenad  
Lisa Pottenger  
Melodie Powell  
Lawrence Rebman  
Lee Schaefer  
Mark Siedlik  
Carl Strange  
Kevin Thomas  
Jason Tilley  
Amy Young

As of 9-16-2021

## ACCIDENTS AND DISEASES BY SEVERITY\*

INDUSTRY	FATALITIES <sup>1</sup>	LOST TIME <sup>2</sup>	MEDICAL <sup>3</sup>	UNKNOWN OR INCIDENT ONLY <sup>4</sup>	TOTAL
Accommodation and Food Services	5	331	1,148	3,056	4,540
Administrative and Support and Waste Management and Remediation Services	6	467	824	1,914	3,211
Agriculture, Forestry, Fishing and Hunting	1	77	261	432	771
Arts, Entertainment and Recreation	2	89	446	889	1,426
Construction	16	564	962	2,343	3,885
Educational Services	0	274	743	2,540	3,557
Finance and Insurance	1	269	1,251	2,356	3,877
Health Care and Social Assistance	14	3,269	4,798	14,060	22,141
Information	3	71	137	319	530
Management of Companies and Enterprises	0	52	200	205	457
Manufacturing	14	1,185	4,569	6,692	12,460
Mining	2	4	30	64	100
Employer Industry Unknown	7	22	15	517	561
Other Services (Except Public Administration)	2	215	520	949	1,686
Professional, Scientific and Technical Services	6	131	683	1,249	2,069
Public Administration	12	2,815	2,326	6,236	11,389
Real Estate and Rental and Leasing	1	109	184	564	858
Retail Trade	4	918	3,140	6,459	10,521
Transportation and Warehousing	11	1,052	1,245	3,658	5,966
Utilities	0	99	185	317	601
Wholesale Trade	3	415	832	1,866	3,116
<b>TOTAL</b>	<b>110</b>	<b>12,428</b>	<b>24,499</b>	<b>56,685</b>	<b>93,722</b>

\*Workers' Compensation cases develop over time. The counts disclosed are based on information as of 9-16-2021 and are likely not reflective of the final counts and dollar amounts for the Fiscal Year, because the cases have not fully developed.

1 - Deaths reported as of September 2021. Death may later be determined not to be a compensable-work related injury.

2 - Cases where Temporary Total Disability (TTD) or Temporary Partial Disability (TPD) benefits were reported paid.

3 - Cases where no TTD or TPD benefits were reported but medical costs were reported.

4 - Cases where no payment information has been received. Includes incident only cases reported to the DWC as a precautionary measure.

## COST BY INDUSTRY AND TYPE OF BENEFIT\*

INDUSTRY	TEMPORARY BENEFITS	PERMANENT BENEFITS	DEATH BENEFITS	MEDICAL BENEFITS	TOTAL BENEFITS
Accommodation and Food Services	\$619,808.49	\$408,830.79	\$0.00	\$6,345,869.97	\$7,374,509.25
Administrative and Support and Waste Management and Remediation Services	\$1,383,261.03	\$1,466,801.29	\$0.00	\$7,838,004.00	\$10,688,066.32
Agriculture, Forestry, Fishing and Hunting	\$214,279.73	\$202,111.37	\$0.00	\$1,660,627.88	\$2,077,018.98
Arts, Entertainment and Recreation	\$272,196.76	\$245,403.57	\$0.00	\$2,595,589.35	\$3,113,189.68
Construction	\$3,259,911.84	\$3,102,575.38	\$425,000.00	\$19,994,357.00	\$26,781,844.22
Educational Services	\$594,876.70	\$411,595.60	\$0.00	\$4,309,788.03	\$5,316,260.33
Finance and Insurance	\$719,400.42	\$692,939.12	\$0.00	\$9,108,353.39	\$10,520,692.93
Health Care and Social Assistance	\$5,745,253.17	\$1,990,597.49	\$0.00	\$21,431,510.58	\$29,167,361.24
Information	\$272,398.63	\$154,553.09	\$0.00	\$1,231,314.75	\$1,658,266.47
Management of Companies and Enterprises	\$94,923.05	28,774.42	\$0.00	\$953,709.07	\$1,077,406.54
Manufacturing	\$3,927,263.07	\$4,670,273.07	\$0.00	\$33,949,163.43	\$42,546,699.57
Mining	\$29,884.34	\$42,626.24	\$0.00	\$418,064.60	\$490,575.18
Employer Industry Unknown	\$170,655.25	\$498,883.85	\$0.00	\$445,604.72	\$1,115,143.82
Other Services (Except Public Administration)	\$683,250.27	\$593,753.87	\$0.00	\$5,204,119.62	\$6,481,123.76
Professional, Scientific and Technical Services	\$377,400.61	\$383,884.29	\$0.00	\$3,140,726.28	\$3,902,011.18
Public Administration	\$6,895,761.70	\$3,893,715.67	\$0.00	\$24,727,901.01	\$35,517,378.38
Real Estate and Rental and Leasing	\$324,312.20	\$128,993.98	\$0.00	\$2,011,023.04	\$2,464,329.22
Retail Trade	\$2,105,034.20	\$2,262,134.72	\$0.00	\$18,527,420.21	\$22,894,589.13
Transportation and Warehousing	\$5,056,899.91	\$2,755,758.22	\$0.00	\$17,420,092.91	\$25,232,751.04
Utilities	\$576,585.10	\$356,053.43	\$0.00	\$3,334,434.86	\$4,267,073.39
Wholesale Trade	\$1,751,084.43	\$1,240,832.12	\$0.00	\$8,905,791.25	\$11,897,707.80
<b>Total</b>	<b>\$35,074,440.90</b>	<b>\$25,531,091.58</b>	<b>\$425,000.00</b>	<b>\$193,553,465.95</b>	<b>\$254,583,998.43</b>

\* Workers' Compensation cases develop over time. The dollar amounts disclosed are based on information as of 9-16-2021 and are likely not reflective of the final dollar amounts for the Fiscal Year, because the cases have not fully developed.



## COST BY TYPE OF DISABILITY OF ALL INCIDENTS\*

TYPE	FISCAL YEAR	NUMBER OF INCIDENTS <sup>1</sup>	NON MEDICAL COMPENSATION <sup>2</sup>	MEDICAL COMPENSATION	TOTAL
<b>ACCIDENTAL<sup>3</sup></b>					
Temporary <sup>4</sup>	2018	46,104	\$17,685,045.67	\$133,543,447.71	\$151,228,493.38
	2019	45,468	\$20,461,626.90	\$158,342,970.82	\$178,804,597.72
	2020	40,732	\$29,121,913.86	\$193,537,436.51	\$222,659,350.37
	2021	33,959	\$29,132,208.98	\$159,918,142.16	\$189,050,351.14
Permanent <sup>5</sup>	2018	15,697	\$303,528,107.62	\$342,619,350.81	\$646,147,458.43
	2019	13,872	\$248,192,833.32	\$306,675,981.75	\$554,868,815.07
	2020	9,063	\$149,117,488.28	\$175,717,753.36	\$324,835,241.64
	2021	2,373	\$30,122,505.52	\$30,459,847.14	\$60,582,352.66
Death <sup>6</sup>	2018	92	\$2,105,426.29	\$1,260,859.64	\$3,366,285.93
	2019	85	\$3,375,000.62	\$2,901,255.83	\$6,276,256.45
	2020	117	\$2,384,099.18	\$813,915.19	\$3,198,014.37
	2021	100	\$463,627.66	\$134,308.20	\$597,935.86
Total	2018	61,893	\$323,318,579.58	\$477,423,658.16	\$800,742,237.74
	2019	59,425	\$272,029,460.84	\$467,920,208.40	\$739,949,669.24
	2020	49,912	\$180,623,501.32	\$370,069,105.06	\$550,692,606.38
	2021	36,432	\$59,718,342.16	\$190,512,297.50	\$250,230,639.66
<b>OCCUPATIONAL</b>					
Temporary	2018	1,525	\$268,823.72	\$1,778,896.38	\$2,047,720.10
	2019	1,327	\$541,095.64	\$2,299,076.08	\$2,840,171.72
	2020	1,924	\$715,983.83	\$2,945,144.97	\$3,661,128.80
	2021	664	\$425,445.30	\$2,020,820.94	\$2,446,266.24
Permanent	2018	622	\$13,574,646.60	\$6,526,902.02	\$20,101,548.62
	2019	533	\$12,552,485.34	\$5,835,487.84	\$18,387,973.18
	2020	279	\$5,264,555.88	\$3,240,985.48	\$8,505,541.36
	2021	60	\$886,745.02	\$512,502.82	\$1,399,247.84

(Continued on next page)

\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.

## OCCUPATIONAL (CONTINUED)

TYPE	FISCAL YEAR	NUMBER OF INCIDENCES	NON MEDICAL COMPENSATION <sup>2</sup>	MEDICAL COMPENSATION	TOTAL
Death	2018	23	\$1,858,303.35	\$225,833.66	\$2,084,137.01
	2019	25	\$1,029,935.50	\$2,680.90	\$1,032,616.40
	2020	10	\$0.00	\$0.00	\$0.00
	2021	10	\$0.00	\$0.00	\$0.00
Total	2018	2,170	\$15,701,773.67	\$8,531,632.06	\$24,233,405.73
	2019	1,885	\$14,123,516.48	\$8,137,244.82	\$22,260,761.30
	2020	2,213	\$5,980,539.71	\$6,186,130.45	\$12,166,670.16
	2021	734	\$1,312,190.32	\$2,533,323.76	\$3,845,514.08
Disability type not determined due to lack of reported compensation	2018	39,433	\$0	\$0	\$0
	2019	41,115	\$0	\$0	\$0
	2020	42,515	\$0	\$5,718.61	\$5,718.61
	2021	56,556	\$0	\$507,844.69	\$507,844.69
TOTAL	2018	103,496	\$339,020,353.25	\$485,955,290.22	\$824,975,643.47
	2019	102,425	\$286,152,977.32	\$476,057,453.22	\$762,210,430.54
	2020	94,640	\$186,604,041.03	\$376,260,954.12	\$562,864,995.15
	2021	93,722	\$61,030,532.48	\$193,553,465.95	\$254,583,998.43

\* Workers' Compensation cases develop over time. The counts and amounts are based on information as of 9-16-2021. The more recent the year, the less reflective the counts and amounts are of what the final counts and dollar amounts will be once the cases have fully developed.

1 - Based on date of injury.

2 - Includes any compensation paid other than medical (TTD, TPD, TT Salary, PPD, PTD, Death, Burial)

3 - Defined as any injury reported with a nature code other than those classified as "Occupational Disease or Cumulative Injury" by WCIO standards.

4 - Defined as any nonfatal injury with reported TTD, TPD, TT Salary, or medical compensation.

5 - Defined as any nonfatal injury with reported PPD or PTD compensation.

6 - Deaths reported. Death may later be determined not to be a compensable work-related injury.

# TODD SMITH

DIVISION DIRECTOR



*The Division of Labor Standards (DLS) and its sections help employers comply with Missouri labor laws and handle complaints from workers to ensure all Missourians are safe on the job and paid wages required by law.*

The DLS consists of five sections: Wage and Hour, On-Site Safety and Health Consultation Program, Mine and Cave Safety, Workers' Safety Program and Research and Analysis. The DLS determines and enforces Missouri's Child Labor Law and Minimum Wage Law. The DLS offers a free consultation service to employers to reduce workplace fatalities and help businesses comply with federal Occupational Safety and Health Administration (OSHA) regulations. Mine and cave inspections are also provided along with training to miners on safe work practices.

## WAGE AND HOUR SECTION

The Wage and Hour section administers the Child Labor, Minimum Wage, and Prevailing Wage Laws for the state of Missouri. Its primary responsibility is assuring child safety, resolving pay disputes, and providing information to the public. The DLS continues to provide outreach programs to help Missouri businesses comply with wage and hour laws.

### YOUTH EMPLOYMENT

The Missouri Child Labor Law ensures no child under 16 years of age is employed in an occupation or in a manner that is hazardous or detrimental to the child's safety, health, morals, educational processes, or general well-being.

**875**

ENTERTAINMENT  
PERMITS ISSUED

**6,697**

WORK CERTIFICATES  
REVIEWED

**3,235**

PUBLIC & PRIVATE  
CONTACTS

**19**

COMPLAINTS  
REVIEWED

## MINIMUM WAGE

The Minimum Wage Program responds to inquiries from employers and workers about their responsibilities and rights under Missouri wage and hour laws. It also provides educational outreach to businesses and mediates pay disagreements under the Minimum Wage Law.

## PREVAILING WAGE

The Prevailing Wage Program is responsible for setting the wage rate on public works construction projects with wage surveys collected from contractors.

## MINIMUM WAGE

Complaints Received: **868**  
Public & Private Contracts: **19,369**  
Restitution Collected: **\$38,193.99**  
Workers Affected: **100**

## PREVAILING WAGE

Complaints Received: **53**  
Public & Private Contracts: **2,339**  
Restitution Collected: **\$24,362**  
Workers Affected: **30**

## MINE AND CAVE SAFETY

The Mine and Cave Safety Program improves the safety of Missouri mines and caves by offering training to miners, mine owners, mine operators, and contractors. Chapter 293 of the Missouri Revised Statutes requires each mine and public cave in Missouri to be inspected on an annual or bi-annual basis for hazards and unsafe or unhealthy work practices. Missouri has received federal funding to provide required training to miners since 1979.

### Inspections Required Per Year



- Two mining fatalities occurred in Missouri mines in 2021.  
*Includes data from industries not regulated by MSHA.*
  - On average, two fatalities occur per year in Missouri's mining industry.
- The last recorded fatality from an operator that received training from this program was in 2015.

## RESEARCH & ANALYSIS

The DLS' Research and Analysis section collects and reports Missouri employment statistics, workplace injuries, and fatalities to the United States Bureau of Labor Statistics (BLS). Jointly funded by BLS and the state of Missouri, the section collects statistical data on Missouri nonfatal occupational injuries and illnesses from the annual Survey of Occupational Injuries and Illnesses, solicited from a random sample of Missouri employers each year.

Missouri consistently ranks in the top three of the 50 states in the survey response rates. In 2020 the Research and Analysis Unit reported 54,200 workplace injuries and 106 fatalities in Missouri employers for calendar year 2019.

The program experienced a 3.5 percent increase in training to contractors over the past three years. The program continues to focus on small operators that are unable to take advantage of the resources larger operators receive, as well as providing training resources for contractors and other stakeholders. Currently, two full-time mine training specialists provide the required Mine Safety and Health training. According to the Missouri Department of Natural Resources, mining is an approximately \$3 billion industry in the state of Missouri.

1931  
207  
610  
9,091  
\$1,463,040

MINERS TRAINED

TOTAL INSPECTIONS

HAZARDS FOUND AND ELIMINATED

MINERS AND CONTRACTORS AFFECTED

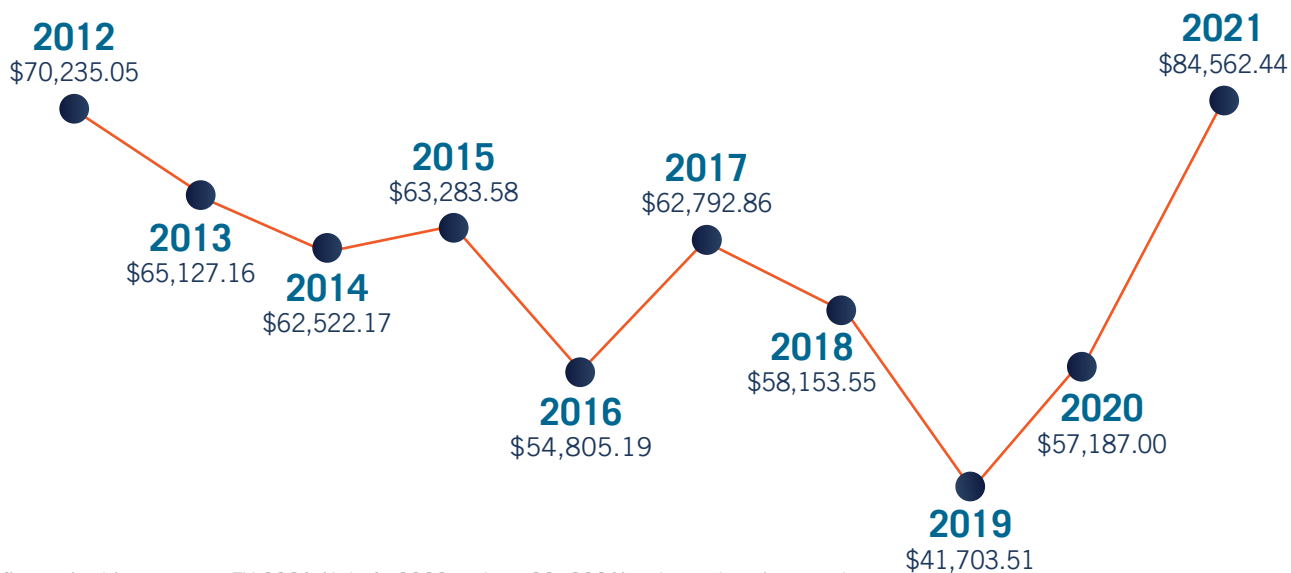
FEDERAL FINES AVOIDED BY MISSOURI MINE OPERATORS

### 10 YEAR PRODUCTION IN TONS

YEAR	CLAY	COAL	COPPER	IRON	LEAD	ZINC	GRANITE	SHALE	SILICA
2012	1,912,067.44	460,918.67	28,240	18,926.95	260,150	53,187	1,162,022.20	301,162.06	1,861,986.66
2013	1,728,676.48	402,486.45	27,902	15,614	262,028	53,717	1,025,649.45	301,162.06	1,538,325.69
2014	1,743,699.71	383,705.75	22,693	13,348.91	264,214	61,294	1,027,504.43	305,264.82	1,159,259.30
2015	1,709,539.51	269,701.78	29,759	7,533	262,115	54,236	1,027,342.48	313,214.88	1,200,739.94
2016	1,735,977.45	99,232.85	21,605	0	172,748	34,294	1,053,681.69	252,048.19	718,810.22
2017	1,810,909.24	245,713.53	27,765	0	185,171	33,498	1,198,199.09	194,104.67	2,068,906.61
2018	1,674,304.18	251,938.73	25,936	0	168,039	35,548	934,778.43	434,509.25	3,630,402.29
2019	1,609,550.26	170,105.00	17,486	0	180,018	35,467	990,169.39	113,907.38	2,917,614.00
2020	1,871,581.52	172,369.00	18,512	0	187,048	33,032	842,983.88	419,338.00	3,967,677.46
2021	1,656,415.52	113,464.67	24,143	0	185,494	30,496	1,035,103.12	361,088.63	3,390,935.73

### 10 YEAR TONNAGE FEE COLLECTION<sup>\*</sup>

<sup>\*</sup>Tonnage fees from 2017-2019 dropped in part due to a shift away from the use of granite to rhyolite which is not taxed.



<sup>\*</sup>The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.

# WORKERS' SAFETY PROGRAM

The Missouri Workers' Safety Program helps employers improve workplace safety and reduce workers' compensation insurance costs. The program helps to regulate safety services provided by insurance carriers, maintains a list of certified safety consultants and engineers that offer independent services, and offers free safety and health consultants.

**243**

Number of certified physical rehabilitation facilities where injured workers can rehabilitate and receive SIF Rehab benefits

**267**

Individuals certified as safety consultants/safety engineers

**100**

Workers' compensation insurance carrier groups' safety programs certified

## ON-SITE SAFETY AND HEALTH CONSULTATION PROGRAM

The On-Site Safety and Health Consultation Program strives to reduce work-related injuries, illnesses and fatalities by educating and training employers and employees in workplace safety and health issues. The program provides consultations at no cost to Missouri businesses. At the request of the employer, the consultants identify safety and health hazards and offer recommendations for correction with no penalties or fines.



**537**

On-Site consultations conducted



**3,140**

Hazards identified



**40%**

of hazards were corrected on location



**\$12.7 M**

Potential OSHA penalties avoided

## SAFETY AND HEALTH ACHIEVEMENT RECOGNITION PROGRAM (SHARP)

The Missouri On-Site Safety and Health Consultation Program, in conjunction with OSHA, administers the SHARP program. It rewards small businesses that operate exceptional health and safety programs. Participation is offered to businesses that worked with the On-Site consultants, implemented safety programs, and significantly reduced workplace injury and illness rates.

*Ridewell Corporation, St. Louis Cold Drawn Inc., and Window Technologies achieved SHARP status in 2020.*

*Thirty-one companies are currently participating in SHARP.*



# MISSOURI COMMISSION ON HUMAN RIGHTS

## DR. ALISA WARREN

EXECUTIVE DIRECTOR



*The mission of the Missouri Commission on Human Rights (MCHR) is to encourage fair treatment, foster mutual understanding and respect, and discourage discrimination against those protected under the Missouri Human Rights Act (Act). MCHR pursues this mission through its complaint process as well as training and education to members of the public about their rights and responsibilities under the Act.*

The Missouri Human Rights Act authorizes MCHR to receive and investigate complaints of discrimination and, where probable cause is found, to litigate those cases at public hearings. The statute empowers MCHR to certify local commissions and grant them enforcement power, enter into work sharing agreements with federal and local human rights agencies, and develop ways to prevent discrimination. MCHR has jurisdiction over complaints of discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age (in employment only), and familial status (in housing only).



**972**  
COMPLAINTS  
FILED



**947**  
COMPLAINTS  
RESOLVED BY  
MCHR STAFF



**\$761,384**  
NEGOTIATED  
IN  
SETTLEMENTS



**14 LOCAL**  
HUMAN RIGHTS  
AGENCIES IN  
MISSOURI



**NEARLY 5,600**  
PEOPLE ATTENDED  
EDUCATION,  
TRAINING, AND  
OUTREACH EVENTS

During MCHR's sixty-four years of working toward eradicating discrimination, the agency has provided immeasurable services. The Commission maintains four offices in Missouri as a means of providing access to and delivery of its services.

The office locations are:

**A - Jefferson City (Central Office)**

**B - Kansas City**

**C - St. Louis**

**D - Sikeston**

The agency continues to receive among the largest number of complaints in the Midwestern region of alleged discrimination in employment, public accommodations, and housing.





# HEARINGS, APPEALS, & SIGNIFICANT DECISIONS REGARDING THE MISSOURI HUMAN RIGHTS ACT

## ***Mohammad Najib v. MCHR and Alisa Warren***

This case is currently before the Western District of the Missouri Court of Appeals. It involves the question of whether MCHR is required to make jurisdictional determinations after a case has been on file for over 180 days and the Complainant requests a right to sue letter.

## ***State of Missouri ex rel. Lashaunique T. Maney v. James Shandy and Horizon Foundation***

This is a housing discrimination case where the Commission found that James Shandy violated the Missouri Human Rights Act when he refused to rent to Ms. Maney because she had two minor children. The Commission ordered him to cease and desist from further unlawful discrimination and to pay Ms. Maney \$6,000 in damages. This decision and order has been appealed.

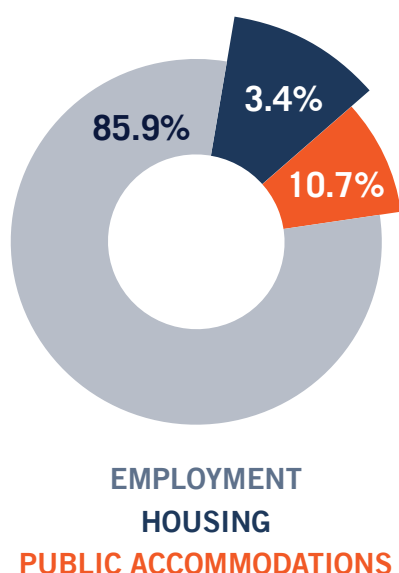
In FY 2021, 972 complaints were filed, while MCHR staff rendered determinations in 947 complaints. Nearly 5,600 people attended MCHR education, training, and outreach events. MCHR also provides mediation and negotiation services to assist employees and businesses resolve complaints and to avoid costly litigation. In FY 2021, settlements totaled \$761,384. There are fourteen local human rights agencies in Missouri supporting human rights education and outreach efforts as well as addressing local human rights issues.

At the end of FY 2021, there were 1,112 complaints under investigation, five conciliation complaints and two public hearing complaints.

## STATE FISCAL YEAR 2021

*MCHR has established work-sharing agreements with the Equal Employment Opportunity Commission (EEOC) and local human rights agencies, increasing efficiency and eliminating duplication.*

PERCENT OF COMPLAINTS FILED  
BY SUBJECT MATTER



COMPLAINTS RECEIVED BY PROTECTED CATEGORY\*

PROTECTED CATEGORY	NUMBER
Age	254
Ancestry/National Origin	78
Disability	407
Race	374
Religion & Familial Status	27
Retaliation	528
Sex	482
- Sex Harassment	282
Unknown/Other	89
TOTAL	9721

*\*Many complaints allege discrimination in more than one protected category.*

*\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.*

## DISPOSITIONS DURING FY 2021

The Disposition Chart below reflects the types of closures or determinations rendered as a result of investigation, conciliation, or public hearing.

Disposition	Employment	Public Accommodations	Housing	Total	Percent
Administrative Closure	5	0	0	5	0.5
Closed at Hearings	5	0	0	5	0.5
Failure to Cooperate	4	0	0	4	0.4
Negotiated Settlement	4	2	0	6	0.6
No Jurisdiction	37	9	1	47	5.0
No Violation	166	28	4	198	20.9
Right to Sue	494	46	8	548	57.9
Unable to Locate	2	0	0	2	0.2
Withdrawal	78	4	1	83	8.8
Withdrawal/Settled	44	3	2	49	5.2
<b>TOTALS</b>	<b>839</b>	<b>92</b>	<b>16</b>	<b>947</b>	<b>100.0</b>

## TOTAL CASES RECEIVED BY YEAR AND JURISDICTION

FISCAL YEAR	JURISDICTION	MCHR	DUAL FILED WITH EEOC <sup>3</sup>
2020	Employment	835	1,374
	Public Accommodations	104	
	Housing	33	
	<b>TOTALS</b>	<b>972</b>	<b>1,374</b>
2019	Employment	1,460	1,948
	Public Accommodations	132	
	Housing	15	
	<b>TOTALS</b>	<b>1,607</b>	<b>1,948</b>
2018	Employment	1,430	2,172
	Public Accommodations	192	
	Housing	84	
	<b>TOTALS</b>	<b>1,706</b>	<b>2,172</b>
2017	Employment	1,180	2,033
	Public Accommodations	121	
	Housing	170	
	<b>TOTALS</b>	<b>1,471</b>	<b>2,033</b>
2016	Employment	1,351	2,351
	Public Accommodations	103	
	Housing	188	
	<b>TOTALS</b>	<b>1,642</b>	<b>2,351</b>

This chart illustrates the number of complaints filed with MCHR by category for the past five years. It also shows the number of complaints received by the EEOC that are dual filed with MCHR. Because EEOC has responsibility for only employment discrimination, the 1,374 cases under the dual-filed column reflect the number of additional cases MCHR would be responsible for if there were no EEOC or if MCHR and EEOC did not have a work-sharing agreement.

<sup>3</sup>-Since 1978, complaints filed with MCHR are automatically filed with EEOC, if EEOC has jurisdiction, and vice versa. The agency receiving the complaint is usually the agency that processes it.

\*The figures in this report are FY 2021 (July 1, 2020 to June 30, 2021) unless otherwise noted.

# COMMISSIONERS

Commissioners are appointed by the Governor with the advice and consent of the Senate. The Governor appoints at least one member from each of Missouri's eight Congressional Districts, two members are at large, and one member as chairperson. The Commissioners serve for six years without compensation. The Commission meets quarterly, and its meetings are open to the public.

## **VACANT**

*Commissioner – 1st District*

## **VACANT**

*Commissioner – 2nd District*

## **JONATHAN HAYASHI**

*Commissioner – 3rd District*

*Term Expired: April 1, 2020*

## **DEREK M. HOLLAND**

*Chairman & Commissioner – 4th District*

*Term Expires: April 1, 2026*

## **DONNA L. BIRKS**

*Commissioner – 5th District*

*Term Expired: April 1, 2018*

## **DR. MELODY A. SMITH**

*Commissioner – 6th District*

*Term Expired: April 1, 2018*

## **JENIFER M. PLACZEK**

*Commissioner – 7th District*

*Term Expired: April 1, 2018*

## **VACANT**

*Commissioner – 8th District*

## **JADE JUMP**

*Commissioner – At-Large*

*Term Expires: April 1, 2023*

## **MARTHA STAGGS**

*Commissioner – At-Large*

*Term Expires: April 1, 2022*

## **DR. TIMOTHY T. FABER**

*Commissioner – At-Large*

*Term Expires: April 1, 2026*

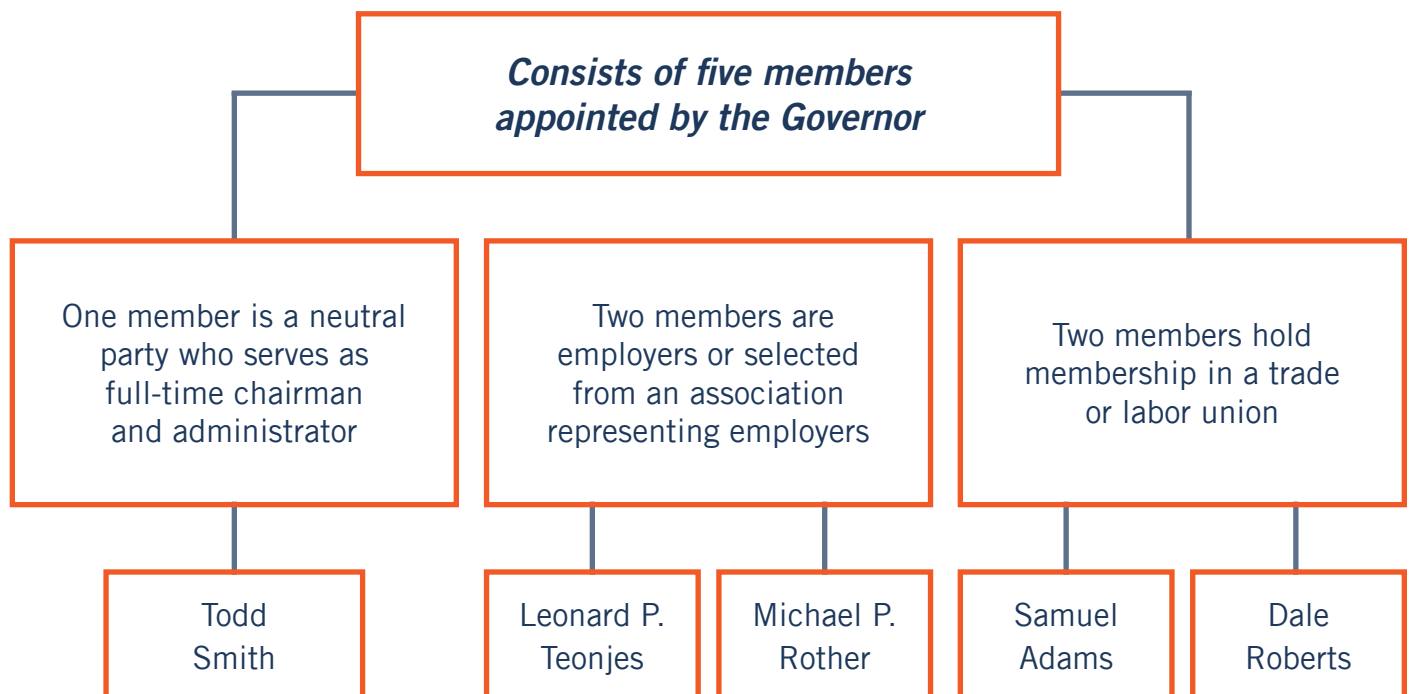
# TODD SMITH

CHAIR



*The State Board of Mediation's (SBM) duties include defining appropriate bargaining units of public employees, certification or decertification of bargaining units, and determination of majority representation status by secret ballot elections.*

If a public employer and a petitioning labor organization cannot agree on which employees should be included in an appropriate bargaining unit, or on the manner of conducting the election, the SBM will hold a formal hearing at which the parties may present evidence and legal arguments in support of their positions on the disputed questions. After considering the evidence and legal arguments, the board issues a written decision resolving the disputes.



If a majority of the members of a bargaining unit vote for the labor organization in a board-conducted election, the SBM certifies it as the exclusive bargaining representative for all the unit members for the purposes of collective bargaining. The labor organization will then negotiate with the public employer of the unit members over salaries and other conditions of employment with the goal of reaching a written agreement governing these matters. The labor organization will also represent all unit members with regard to individual employment issues that may arise, such as disciplinary charges.

The SBM's jurisdiction under the Public Sector Labor Law, RSMo 105.500 - 105.530, to determine appropriate bargaining units and to certify exclusive bargaining representatives, extends to almost all public employees, including those employed by the state and its agencies, counties, cities, and school districts. In an effort to make the SBM more responsive and accessible to citizens, in 2020 the SBM began accepting petitions of Certification for Representation, Decertification and amended petitions online. Applicants can now answer a few simple questions and submit the required forms directly to the SBM along with an electronic signature. Once the petitions are submitted online, applicants receive an automatic notification with a case number and copy of the completed petition, saving time for both the applicant and staff.

## FISCAL YEAR 2021

Petitions Filed	18
Elections	9
In-Person	0
Electronic Balloting	6
Mail-In Ballot	3
Representation Elections Conducted	9
Decertifications	0
Election Appeals	1
Hearings on Disputed Issues	1
Public Employees Affected	645
Unit Clarifications	3
Amendment of Certifications	1
Cases Dismissed/Withdrawn	31



# MISSOURI

## DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS

### ASPIRATION

We will promote economic vitality, safety, and fairness for Missouri's businesses and workers.

#### THEMES

##### **GROWTH**

Foster a business environment to support economic development

##### **SAFETY**

Prevent injuries and save lives on the job

##### **OPPORTUNITY**

Invest in our workforce for today & tomorrow

#### INITIATIVES

- Map each Key Customer Journey for DOLIR customers
- Develop MCHR online customer portal
- Develop a process for virtual inspections

- Research & Create de-escalation/secondary trauma protocol and training
- Improve building security
- Raise awareness for Youth Farm Safety
- Enhance field staff safety

- Ensure consistent implementation of succession planning process
- Refine process to ensure ongoing reviews and updates to DOLIR's administrative manual and policies
- Update guidelines and template used by DOLIR for the development of standard operating procedures
- Improve usability of external electronic forms
- Develop a centralized case assignment process for MCHR



**DEPARTMENT OF LABOR**  
& INDUSTRIAL RELATIONS

421 East Dunklin Street  
P.O. Box 504  
Jefferson City, MO 65102-0504

573-751-4091

Fax: 573-751-4135

TDD/TTY: 800-735-2966

Relay Missouri: 711

[labor.mo.gov](http://labor.mo.gov)

*Missouri Department of Labor and Industrial Relations  
is an equal opportunity employer/program.*